

App. Ser. No. 10/719,077  
Reply to Office action of August 22, 2005

### **REMARKS/ARGUMENTS**

In the August 22, 2005 office Action, the Examiner rejected Claims 1, 3-35 under USC  
5 35 102(a) under United States Patent Application Publication 2003/0120983 (Vierегge). Applicants amend Claims 1, 5,7,10,11,14-17, 21, 22 and 27, and cancel Claims 30 and 31, to further clarify the present invention. Claims 1, and 3-29, and 32-35 are now pending of which Claim 1, 5, 7, 10, 17, 21 and 27 are independent claims. Applicants respectfully request allowance of the pending claims based on the telephone interview, amendments and the remarks below.

### **Rejection Under 35 USC § 102(a)**

The Examiner rejected Claims 1, 3-35 under Vierегge. Based on the following remarks and the amendments; the pending Claims 1,3-29 and 32-35 are allowable.

#### **Claim 1:**

Regarding Claim 1, the Examiner states:

15 “Vierегge discloses a system for monitoring events in a storage area network(abstract), comprising: a fibre channel fabric switch element (page 2, section 0027-0029) having a port monitoring agent that monitors at least a parameter value and detects when a parameter value varies from a threshold value for a parameter (page 1-2, section 0012-0018) wherein the port monitoring agent sends a message to a performance monitoring  
20 module to process an event when the parameter value varies from the threshold value (page 1-2, section 0012-0018). (Office Action, Page 2, Section 1)”

Vierегge fails to disclose the features of amended Claim 1. Amended Claim 1 discloses  
“a system for monitoring events a storage area network, comprising: a fibre channel fabric  
25 switch element having a port monitoring agent that monitors at least a parameter value and detects when a parameter value varies from a threshold value stored in a threshold table for a parameter, wherein the port monitoring agent sends a message to a performance monitoring module that sends a message to an Event Response Director that selects an event in an Event Response

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Table and sends control signals to a Local Event Handler and an External Event Generator, and  
the Local Event Handler performs control actions on a local fabric switch and the External Event  
Generator sends input/output registered state change notices to host computing systems; and the  
Event Response Table and the threshold table is updated by a Threshold Event Configuration  
5 module based on historical data (Amended Claim 1).

The Examiner has primarily relied on Section 0012-0018 and 0027-0029 of Vieregge.  
Vieregge based on its system in Figure 2, monitors a raw quality measure in respect of a first  
path through the communication networks and then instigates a switch to a protection path  
through the network. Vieregge uses a raw bit error rate (BER) as the raw quality measure.  
10 {Vieregge, Page 1, Section 0012}.

The foregoing sections of Vieregge cited by the Examiner or any other section of  
Vieregge fails to disclose at least an Event Response Director (described in paragraph [0083] of  
the present invention); Event Response Table (described in paragraph [0083] of the present in-  
vention); External Event Generator (described in paragraph [0083, 0085] of the present inven-  
15 tion); Local Event Handler (described in paragraph [0083-0084] of the present invention); and a  
Threshold Event Configuration module (described in paragraph [0087] of the present invention).

Therefore, Claim 1 is patentably distinguishable over Vieregge, and Applicant respect-  
fully request allowance of Claim 1.

Claim 2:

20 Applicant has cancelled this claim.

Claims 3-4:

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Claims 3-4 depend from Claim 1 and are thus patentably distinguished over Vieregge for at least the same reasons provided above with respect to Claim 1. Therefore, Applicant respectfully request allowance of Claims 3-4.

Claim 5:

5 Claim 5 is patentably distinguished over Vieregge for at least the same reasons provided above with respect to Claim 1. Therefore, Applicant respectfully request allowance of Claim 5.

Claim 6:

Claim 6 depends from Claim 5 and is thus patentably distinguished over Vieregge for at least the same reasons provided above with respect to Claim 5. Therefore, Applicant respectfully  
10 request allowance of Claim 6.

Claim 7:

Claim 7 is patentably distinguished over Vieregge for at least the same reasons provided above with respect to Claim 1. Therefore, Applicant respectfully request allowance of Claim 7.

Claim 8-9:

15 Claims 8-9 depend from Claim 7 and are thus patentably distinguished over Vieregge for at least the same reasons provided above with respect to Claim 7. Therefore, Applicant respectfully requests allowance of Claims 8-9.

Claim 10:

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Claim 10 is patentably distinguished over Vieregge for at least the same reasons provided above with respect to Claim 1. Therefore, Applicant respectfully request allowance of Claim 10.

Claim 11-16:

Claims 11-16 depend from Claim 10 and are thus patentably distinguished over Vieregge  
5 for at least the same reasons provided above with respect to Claim 10. Therefore, Applicant respectfully request allowance of Claims 11-16.

Claim 17:

Claim 17 is patentably distinguished over Vieregge for at least the same reasons provided above with respect to Claim 1. Therefore, Applicant respectfully request allowance of Claim 17.

10 Claims 18-20:

Claims 18-20 depend from Claim 17 and are thus patentably distinguished over Vieregge for at least the same reasons provided above with respect to Claim 17. Therefore, Applicant respectfully request allowance of Claims 18-20.

Claims 21:

15 Claim 21 is patentably distinguished over Vieregge for at least the same reasons provided above with respect to Claim 1. Therefore, Applicant respectfully request allowance of Claim 21.

Claims 22-26:

Claims 22-26 depend from Claim 21 and are thus patentably distinguished over Vieregge for at least the same reasons provided above with respect to Claim 21. Therefore, Applicant respectfully request allowance of Claims 22-26.  
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Claims 27-29 and 32-35:

Claims 27-29 and 32-35 are patentably distinguished over Vieregge for at least the same reasons provided above with respect to Claim 1. Therefore, Applicant respectfully request allowance of Claims 27-29 and 32-35.

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CONCLUSION

For the foregoing reasons, Applicants believe Claims 1, 3-29, 32-35 are allowable, and a notice of allowance is respectfully requested. If the Examiner has any questions regarding the application, the Examiner is invited to call the undersigned Attorney at (949)-955-1920.

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Dated: \_\_\_\_\_



Respectfully submitted,



Tejinder Singh  
Reg. No. 39,535  
Attorney for Applicants  
Tel.: (949) 955-1920

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I hereby certify that this correspondence is being faxed to the USPTO, fax number 571-273-8300 on February 21, 2006.

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\_\_\_\_\_  
Signature  
Attorney for Applicant(s)  
Typed Name: Tejinder Singh

February 21, 2006  
Date of Signature